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*Counsel for Lead Plaintiff Dr. Stanley Golovac
and Lead Counsel for the Class*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

CREIGHTON TAKATA, Individually and on
behalf of all others similarly situated,

Plaintiff,

v.

RIOT BLOCKCHAIN, INC. F/K/A,
BIOPTIX, INC., JOHN O'ROURKE, and
JEFFREY G. MCGONEGAL,

Defendants.

:
: Civil Action No. 3:18-02293 (FLW) (TJB)
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:
:

: **STIPULATION AND ~~PROPOSED~~**
: **ORDER EXTENDING TIME FOR**
: **DEFENDANT JOHN STETSON TO**
: **RESPOND TO LEAD PLAINTIFF'S**
: **CORRECTED CONSOLIDATED**
: **AMENDED CLASS ACTION**
: **COMPLAINT FOR VIOLATIONS OF**
: **THE FEDERAL SECURITIES LAWS**
:

WHEREAS, on February 17, 2018, Creighton Takata ("Takata") filed a complaint against Riot Blockchain, Inc., f/k/a Bioptix, Inc.; John O'Rourke; and Jeffrey G. McGonegal (collectively, "Defendants") in the above-captioned case alleging violations of the Securities Exchange Act of

1934 (ECF No. 1);

WHEREAS, this case is governed by the Private Securities Litigation Reform Act of 1995, 15 U.S.C. §78u-4, *et seq.*;

WHEREAS, Lead Plaintiff filed his Consolidated Amended Class Action Complaint for Violations of the Federal Securities Law on May 8, 2019 (ECF No. 72), which was corrected on May 10, 2019 (ECF No. 73);

WHEREAS, Lead Plaintiff's Corrected Consolidated Amended Class Action Complaint for Violations of the Federal Securities Law (ECF No. 73) adds additional Defendants not previously named in the case, including John Stetson;

WHEREAS, on May 31, 2019, Lead Plaintiff served the Corrected Consolidated Amended Class Action Complaint on Defendant Stetson;

WHEREAS, on June 28, 2019, Lead Plaintiff provided an update to the Court (ECF No. 80) regarding service of Defendant Stetson in the case;

WHEREAS, the parties have conferred concerning a new briefing schedule for Defendant Stetson's response to the Corrected Consolidated Amended Class Action Complaint for Violations of the Federal Securities Law (ECF No. 73);

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by counsel for the parties listed below, that:

1. On or before **October 1, 2019**, Defendant Stetson shall answer or otherwise respond to the Corrected Consolidated Amended Class Action Complaint for Violations of the Federal Securities Law (ECF No. 73), subject to any further Orders of this Court.

2. If Defendant Stetson serve a dispositive motion in response to the Corrected Consolidated Amended Class Action Complaint for Violations of the Federal Securities Law, then:

(i) Lead Plaintiff shall serve his opposition papers on or before **October 28, 2019**; and (ii) Defendant Stetson shall serve his reply papers on or before **November 18, 2019**.

3. By entering into this stipulation, Defendant Stetson does not waive any defenses that otherwise could be asserted through a motion pursuant to Fed. R. Civ. P. 12 or otherwise.

DATED: September 25, 2019

Respectfully submitted,

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Counsel for Defendant John Stetson

SO ORDERED this 26th day of September, 2019.

A handwritten signature in black ink, reading "Freda L. Wolfson". The signature is written in a cursive style with a horizontal line extending from the end.

HONORABLE FRED A. WOLFSON
United States District Judge